

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAMION BROMFIELD,

Plaintiff,

v.

CHARLES MCBURNEY, *et al*,

Defendants.

Case No. C07-5226RBL-KLS

ORDER DENYING SERVICE OF  
COMPLAINT BY UNITED  
STATES MARSHALS

This matter comes before the court on plaintiff's filing of a complaint for damages and injunctive relief alleging violations of his federal constitutional rights. (Dkt. #1). Plaintiff has been granted *in forma pauperis* status in this case. (Dkt. #4). Because plaintiff has not provided the Court with a sufficient number of and improperly completed forms for service of the complaint, however, the Court will not order service of the complaint by the United States Marshals Service at this time.

Specifically, while plaintiff did provide eight service forms for the eight defendants named in his complaint, he typed the phrase "Charles McBurney, et al" in the space provided on each of those forms for the individual defendant's name. To enable the United States Marshals Service to properly effect service, however, plaintiff must set forth the specific name of the individual defendant on the service form to whom he desires service be made.

In addition, plaintiff alleges in his complaint that defendant Michael Melendez is an employee of

1 “Immigration and Customs Enforcement,” an agency of the United States, and is suing him in his official  
2 capacity. Pursuant to Federal Rule of Civil Procedure 4(i), whenever an employee or officer of the United  
3 States is sued in his or her official capacity, copies of the summons and complaint also must be served on the  
4 United States attorney for the district in which the action is brought, or designee or civil process clerk thereof,  
5 and the Attorney General of the United States. While plaintiff has provided a sufficient number of copies of his  
6 complaint for this purpose, he has not provided service forms therefor.

7 Accordingly, the Clerk is directed to send **ten (10)** service forms to plaintiff for him to fill out and  
8 addressed to each of the eight named defendants, along with the Attorney General for the United States and  
9 United States attorney for the Western District of Washington, and return to the Court so that service by mail  
10 may be attempted. The forms must be returned on or before **June 30, 2007**, or the Court will recommend  
11 dismissal for failure to prosecute.

12 The Clerk is directed to send a copy of this Order to plaintiff.

13 DATED this 30th day of May, 2007.

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17 Karen L. Strombom  
18 United States Magistrate Judge  
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